

PUBLIC

MINUTES of a meeting of **COUNCIL** held on Wednesday, 15 February 2023 in the Council Chamber, County Hall, Matlock.

PRESENT

Councillor T Ainsworth (in the Chair)

Councillors R Ashton, K S Athwal, N Atkin, J Barron, B Bingham, J Bryan, S Bull, S Burfoot, A Clarke, D Collins, C Cupit, A Dale, C Dale, J Dixon, R Flatley, M Ford, E Fordham, D Muller, A Foster, M Foster, R George, A Gibson, K Gillott, N Gourlay, D Greenhalgh, C Hart, G Hickton, S Hobson, N Hoy, R Iliffe, J Innes, T Kemp, T King, G Kinsella, B Lewis, W Major, R Mihaly, P Moss, D Murphy, G Musson, P Niblock, J Patten, L Ramsey, R Redfern, C Renwick, P Rose, J Siddle, P Smith, S Spencer, A Sutton, S Swann, D Taylor, D Wilson, J Woolley and M Yates.

Apologies for absence were submitted for Councillor D Allen, L Grooby, A Hayes, J Nelson, R Parkinson, J Wharmby and B Woods.

Officers present: Emma Alexander (Managing Director), Joe O'Sullivan (Executive Director - Corporate Services and Transformation), Helen Barrington (Director of Legal and Democratic Services), Carol Cammiss (Executive Director - Children's Services), Alec Dubberley (Head of Democratic and Registration Services), Chris Henning (Executive Director - Place) and Helen Jones (Executive Director - Adult Social Care and Health).

1/23 APOLOGIES FOR ABSENCE

Apologies for Absence were received from Councillors Allen, Grooby, Hayes, Nelson, Parkinson, Wharmby and Woods.

2/23 DECLARATIONS OF INTEREST

None received.

3/23 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported on the previous weeks' National Apprenticeships week. Within the Council there were 325 employees, including schools, completing a wide range of apprenticeships at different academic levels, which equates to approximately 2% of the workforce.

The Chairman paid tribute to Helen Jones, who would be leaving her position as Executive Director for Adult Social Care and Health in early March. Unfortunately, Helen was unable to attend the meeting today,

however a number of members spoke to thank Helen for the hard work, commitment and her support for the authority.

The Chairman referred with sadness to the upcoming anniversary which would mark a year of the war in Ukraine and the moment of silence to be held on Friday 24 February. The devastation and loss that the conflict had caused could not be accurately measured and neither could the loss of over 35,000 people in Turkey and Syria recently following the earthquake not the impact of the floods in New Zealand.

A period of silent reflection was observed.

The Chairman congratulated Pat Murray who was unable to receive his Alderman award in November 2022. Councillor David Wilson, current Civic Chairman, presented the award and members congratulated Mr Murray.

4/23 MINUTES

On the motion of the Chairman, duly seconded, it was

RESOLVED:

That the minutes of the meeting of the Council held on 30 November 2022 and the special meeting held on 30 November 2022 be confirmed as correct records.

5/23 REPORT OF THE LEADER OF THE COUNCIL AND MEMBERS' QUESTIONS

The Leader of the Council paid a personal tribute to Helen Jones, Director of Adult Social Care and Health following the Chairman's announcement of her forthcoming departure from the authority.

The Leader then reported on the success of a recent visit from a Japanese delegation, Mayor Ota and Chairman Itagaki from Toyota to the region, visiting South Derbyshire, Derbyshire and Derby City for a number of days.

6/23 PUBLIC QUESTIONS

Question from Karl Barrow to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

"The current debate over the large-scale deployment of solar arrays on productive farmland requires a willingness to prioritise every other

alternative site for solar PV first. That includes both Council owned buildings and land and also the increasing number of recently constructed commercial buildings in Derbyshire, including large logistics centres. Many of these have good connections to the National Grid. This council should encourage installation on commercial roofs by proactively identifying suitable premises and working with those businesses to raise their awareness of both the economic benefits to their business and the wider environmental benefits.

So, since this council was elected in 2017, how many solar panels has this council installed on its own estate and how many has it directly facilitated by working in partnership with Derbyshire businesses to identify opportunities for large scale installation of solar PV arrays on such buildings?”

Councillor Lewis responded as follows:

“The Council has an existing public target to generate 200,000 kW of electricity per annum including from solar panels on our own estate. A property directorate has recently identified proposals to generate up to 1 million kilowatt hours per annum and the 2023-24 capital programme contains costed plans to deliver the first 400,000 kW of this.

The Council has worked with businesses over a number of years providing general support and advice, building business plans to help manage costs and income and two schemes in particular have been delivered by Derbyshire County Council.

One of those was decarbonised which supported a range of low carbon energy measures in premises but specifically targeting that at 24 Small to Medium Size Enterprises who received funding totalling £274,871 of solar PVs with predicted carbon savings of 285.2 tonnes of CO₂ per year.

We also, you are probably already aware of this, but we have the current Green Entrepreneurs Fund that has so far supported seven businesses. We have relaxed the rules around that so that we can support businesses, particularly through the current cost of living crisis which is also impacting on significant numbers of SMEs out in Derbyshire for solar PV decarbonisation projects, supporting with £120,000 of that. Within that there is a pipeline for a further £125,000 worth of submissions that have been invited to full application. That was part of a £2m scheme that we announced some years ago. We have committed to a further £10m scheme as well to help support that across the county.

I can assure you that we are committed to working with our own estate and existing businesses and that there is no policy in place to promote solar farms on high quality agricultural land. I will come back to that point in a minute. To that end this Council published a Renewable Energy Strategy in November of last year and this set out the right type and scale of renewable energy to be delivered in the right locations understanding both the landscape and sensitivity, character and heritage, all those sorts of things.

As part of this report a GIS study was done, the potential for rooftop solar across the county which in future could play a pretty pivotal role in identifying where solar is more appropriate. That can then influence matters such as surety for investment, developing investment strategies and influencing sensible planning decisions in the future across the piece. Indeed, we used that recently to great effect when Her Majesty's Inspectorate came to look at a large-scale solar array planned on some fairly prime agricultural land as well as not so prime agricultural land but impacting on setting etc around Alfreton. I was able to present Her Majesty's Inspectorate with that document and we know what the outcome was there. That being said we want to encourage solar investment in Derbyshire. We want to encourage it in the right place and create the right opportunities for investment as well."

Mr Barrow asked the following supplementary question:

"The only thing I would raise is I understand as a result of the surveys that you carried out in 2015 there was an accepted plan then to build five solar arrays, including the one at Williamthorpe. Why have Williamthorpe and the other four planned solar arrays from 2015 not actually taken place?"

Councillor Lewis responded to the supplementary question as follows:

"At the moment we are undergoing a review of our corporate properties that the Council holds with a view to what we do with those in the long term. That is not to say it is impossible. We will be looking at those, but it is entirely possible that we can revisit those and a more sensible plan that is encapsulated in what I have just said which is around ensuring that we have a strategic outlook for these particular sites."

Question from Anne Thoday to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

"The Climate Change Strategy Annual Review of Progress shows very little decline in projected emissions from the Council's core and grey

fleet over the next 10 years. The County's fleet of vehicles is around 550. At the current rate of replacement (5 in 2022) how long will it take to convert all of the council's vans to ZEVs?

There are no targets for the grey fleet and apparently no policy to reduce the mileage accrued by employees during their working day. At a meeting with Cllr Barry Lewis in July 2019 Derbyshire Climate Coalition recommended a number of climate actions including "Commission Energy Saving Trust to conduct a grey and green fleet review of the council before the end of the year". This is something many councils have been doing for years – saving money, improving safety and reducing emissions. Why have the Council still not done this?"

Councillor Lewis responded as follows:

"The projected emissions from the Council's core and grey fleet are based on the current charging infrastructure rather than the anticipated infrastructure so plans have to be afoot to approve the next phase of EV charge point installations. That is due to be presented to Cabinet actually next month.

Draft plans for a procurement framework are in place to procure four electric cars and electric vans. Switching larger vehicles to zero emission vehicles will take more time as the electric HGVs which are currently available and on the market are not suitable for our needs here in Derbyshire because of the mileages that they get driven and also the terrain as well of the county. Hydrogen vehicles are also not currently feasible as there is not the infrastructure to refuel these, although we are working on that in the background but it will be some time off.

In the meantime as part of the fleet replacement programme in order to replace the last few vehicles to ensure all vehicles are clean air zone compliant, that is Euro 6 compliant, will be replaced in Spring 2023 some of which, where suitable, will be electric vehicles. Following this there will be a gradual transition to electric vehicles and other zero emission technologies as these mature, subject to sufficient Grid capacity being available.

We commissioned what they call Cenex, the first low carbon and fuel cell Centre of Excellence, an independent not-for-profit research consultancy to conduct a grey and green fleet review which was completed in May 2020, relevant findings from which have already been taken forward by the Council. Annual mileage targets for grey fleet mileage are included in the departmental service plans and as such - and they will be coming to a future Council - as such will work with experts in industry across local government and academia as we have

always done when it comes to thinking about how we do this. I might add at this point as a consequence of Covid the changing way that Derbyshire now works is we have reduced significantly our grey fleet mileage as well.

Furthermore, to support a growth in EV charging infrastructure and therefore a growth in EV use and ownership across the Council's estate and also across the county, a consultant report was completed in June of last year into potential demand and to assess the preferred locations and types of charge points needed to meet this demand. It is always about thinking ahead how we can plan for that infrastructure that is required then everybody, ourselves and industry can tailor their electric vehicle usage to that.

A detailed procurement exercise is now being carried out to appoint appropriate charge points suppliers to install a significant number of Council estate residential and destination charge points across the county, that is being carried out now, but I also go back to my earlier point around the Green Entrepreneurs Fund as well what that can do working with industry and other people to ensure that we have particularly our destination charge point infrastructure out there as well. Our Scrutiny Committee here is also looking into this in detail I think at its next Scrutiny Committee.

Ms. Thoday asked the following supplementary question:

"I would still like to know whether the departmental targets for the grey fleet translates into a policy to encourage staff to reduce their mileage? Talking to DCC staff at the moment they find it difficult to access the department's EV vehicles. There isn't a clear booking system and it is difficult to book public transport for trains for longer journeys through the department. I would just like to know when there will be a clear policy in place for the staff?"

Councillor Lewis responded to the supplementary question as follows:

"The departmental service plans will be quite clear in the provision of electric vehicles and how that will come on-stream in the future as I have just talked about that in some detail anyway.

Interesting to hear what you say about booking vehicles internally and also booking train systems. We only have a limited number of electric vehicles at the moment. That will change in the future and more will be available. We are already very clear in our policies about ensuring that if you need to do those miles for visits or anything like that you are encouraged to book electric cars wherever possible.

When it comes to booking public transport that I have just been informed has been overhauled as a system so that should be a little bit easier to do as well but I don't think that has been helped terribly much recently by rail strikes and so on, perhaps built a little bit of uncertainty into that system as well."

Question from Wendy Bullar to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

"19 of the 27 targets contained within the Climate Change Strategy Annual Review of Progress either have no target data, no baseline data, or are just reiterations of government targets. Some examples:

1. *"Reduce manufacturing and construction emissions by 70% ..."*. We do not know the size of manufacturing and constructions emissions in Derbyshire. How can this target be rated as 'good progress'?
2. "24,000 skilled green jobs to be created in Derbyshire by 2030". How can we measure progress when we do not have any figures for Derbyshire?
3. *"All owner occupiers and renters to have access to education and training programmes to decarbonise their homes by 2025."* There is no meaningful measure for this target, other than councils are *exploring* this. Despite this, progress is rated as 'good'.

Will DCC revisit the action plan and ensure the targets are SMART (specific, measurable, achievable, relevant, timely)?"

Councillor Lewis responded as follows:

"It is quite a technical question so this is unfortunately going to be broadly a technical answer. In developing the Climate Change Strategy the Council recognise the importance of having measurable targets that align with and contribute to the Council's overall targets for the organisation to be net zero by 2032 or sooner and for the county to be as an economy net zero by 2050.

The target is set out under the Council's estate and operations theme within our Climate Change Strategy or where the Council has direct control over the data needed to track progress as well as direct control over the delivery of the actions and projects needed to achieve those

targets.

However, 19 of the 27 targets in the Climate Change Strategy are related to county-wide emissions and reduction sustainability improvements and as such 19 targets are aligned with a national or sector targets and policy and are reliant on the availability of national, regional or industry data and widespread action by all of those sectors that are involved in that.

The Council recognises that targets should be SMART, as you described, but if the Council was to develop its own targets for these regional/national elements it would be difficult to develop a baseline for it and also look to track progress due to the reliance on external data and evidence.

We review our Climate Change Strategy annually which includes a review of the targets within it, which I am sure you have seen. Targets will be updated as national, regional and industry targets and data are refined and updated as targets are achieved.

The Council is also developing interim targets for those who have longer term target dates and where interim assessment and measurement is beneficial and possible, so that is the long answer and the short answer is this is all quite new stuff. We have had to work and utilise data from whatever sources we can in order to establish our own kind of baseline that we can work towards I suppose.

You mentioned the situation with regard to 24,000 skilled green jobs and that is an answer I will be giving later on as well to I think it is Councillor Kinsella's question, but what I can say there is again that is based upon national definitions of what a green job might be and as a proportion of a national allocation of what the government thought a certain number of jobs would be needed across the new green economy and therefore 24,000 is roughly what we thought our allocation was against those figures."

There was no supplementary question.

Question from Laura Stevens to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

"At the Climate Scrutiny meeting on 10 October the Council tabled a paper on climate change performance reporting. Out of 32 actions, half (16) were rated as 'green' or 'on track' while a further 15 were rated as amber or some risk to timetable, with one was rated as 'red' or unlikely

to achieve timetable.

Given the lack of progress on so many climate targets this suggests that either the rating for these actions is wildly optimistic or that the actions themselves are not sufficient to meet the targets and further actions are needed. Please advise which of these it is?"

Councillor Lewis responded as follows:

"The performance ratings given to the 32 priority actions in the quarterly Climate Change Performance dashboard are based on progress made against the target date for completion and against the agreed success measures for each action. These ratings are allocated by the relevant senior officer leads for each action and they are reviewed and challenged where appropriate and agreed by the Council's Climate Change and Environmental Programme Board. Therefore, the ratings provided accurately reflect the position at the end of a particular quarter.

I would add to that that the Council is committed to playing its part in driving down emissions generated across the whole of Derbyshire as quickly as possible to net zero by 2050. That being said the Council has only direct control of 1-2% of Derbyshire emissions and influence over a further 40%. Therefore getting Derbyshire to net zero is not something we can do on our own it requires widespread action across all the county and across all sectors as well as UK wide action from Central Government. We do work quite closely with things like the minerals industry and so on. We are doing really quite remarkable work in this sphere as well and we are keen to work with that and any other sectors where we can help and provide support.

As such the many priority actions in our Climate Change Strategy are enabling actions that allow the Council to seek and deliver on opportunities to reduce Derbyshire's emissions through partnership working, place shaping, showcasing and involving and engaging residents and businesses. Delivering the priority actions alone won't mean that all targets are achieved but they set the foundation and direction for county-wide action of which the County Council will continue to play its pivotal role as well as in wider sustainability and local nature recovery projects and programmes, so we will do what we can to enable basically working with all the other sectors and the general public that is out there. This is also an evolving programme that we keep working on. It will get wider and you will see more actions coming through."

Ms. Stevens asked the following supplementary question:

"Diverse Derbyshire is showing a film on Friday, 24 March in the Imperial Rooms. You are all invited. It is called the Oil Machine, a fantastic film, and my question is will you come?"

There was no response.

5) Question from Kathy Farr to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

"In the Annual Progress Report for the Climate Change Strategy, one of the targets is for "All existing owner occupier domestic properties [to be] EP rating C by 2035." The progress against this is marked red in respect of work to engage with residents "to understand what support they need to enable them to retrofit their own homes and to co-design and co-deliver a programme of activities".

Given that many conversations have already taken place with residents, what is taking the Council so long to deliver any tangible action on this on the ground? Many community groups, including Transition Chesterfield and other members of Derbyshire Climate Coalition, have made practical suggestions of how we can work together with the Council and offered support. What is stopping the Council taking up this offer of support and when can we expect the first real action on the ground?"

Councillor Lewis responded as follows:

"On the basis that we have Derbyshire Climate Coalition members here and they will be aware of the question that was posed I am quite happy to answer it. I won't read it out. I am sure they will be aware of what it is but it is all around annual progress against the Climate Change Strategy about owner/occupier domestic properties EPC ratings by 2035 and other matters.

My answer to that is considerable work has already been undertaken in this area by the County Council in collaboration with Boroughs and Districts, external stakeholders and our partners in Nottinghamshire as well where there is some sector leading work being done on this through the Vision Derbyshire approach that we have been working locally and very very closely on and well with our local authority partners. That work is still continuing. Progress has been made. An extensive engagement programme has been delivered across the county, including online consultations, face-to-face and online meetings with groups and individuals.

Officers are currently drafting two documents. One is a draft consultation action plan which will be sent out to groups and individuals who have agreed to be contacted in March. The action plan contains actions suggested through the engagement process which can be delivered by the Councils and the community groups working in tandem and then the other one is an options paper which is exploring options for further delivery and an advice and support service as well.

Further to that there is also more work being carried out to support increased provision for retrofit training and skills opportunities (part of those 24,000 jobs there) and building confidence in the retrofit supply chain which is quite key to ensuring that we can deliver all this. We want to ensure that high quality assurance mechanisms are prompted as part of this wider approach as well."

There was no supplementary question.

Question from David Locke Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

"Have the Council considered the use of quiet lane legislation to increase the safety of cyclists on public roads? Cycling through leisure, shopping and commuting on public roads will only increase if cyclists feel safe and that requires speed limits and signage.

Active Travel rates seem to have stalled so we need to identify strategic limits between towns, business sites and places of interest, find the best cycling route using the expertise of Sustrans Cycle UK etc and then ensure they are safe as shoppers, families, commuters. That has got to be by speed restriction. It has got to be by signage and some off-road sections but speed limits are the main thing. We have to produce quiet usable routes and quiet lane legislation might help with this. We will upset some car drivers but it is an absolute choice that has to be made."

Councillor Lewis responded as follows:

"We do have ambitious plans and we have had them over quite some time. We are putting those into practice for county-wide infrastructure development which will secure Derbyshire as a world class cycling destination for everyone.

Our Local Cycling and Walking Infrastructure Plan reflects the priorities of the Key Cycle Network. This was approved by Cabinet in January 2020 and provides a strategic network for the county with connections to key destinations, towns and villages, transport hubs, places of

employment and also housing areas with long distance trails and loops that support the visitor economy.

I am sure you will already be aware of Green Lane and the Key Cycle Networks that we have in the Northeast corner, Bolsover etc which is being led by the Derbyshire Countryside Partnership. My colleague Councillor Alex Dale sits on that. I did used to sit on that as well some years ago and that does good work.

The designation of a “quiet lane” can be carried out by Councils under the Quiet Lanes and Homes Zones (England) Regulation 2006. Designation as a quiet lane does not necessarily bring about any enforceable restriction in isolation. I think it is fair to be clear on that.

There was a scheme that was trialled in Derbyshire in the Youlgreave/Conksbury area around the time of this new legislation and care was taken in this rural environment not to over-urbanise the lanes with signage clutter. It was done working closely with the Peak District National Park Authority as well so we do have some form in this sphere.

I believe, I have been told today by one of my colleagues, David Taylor, there is a quiet lane in the Hazelwood area of Derbyshire as well. You are probably aware of Crow Lane in Chesterfield which has become a cycling route through their using Government money relatively recently to fund that work as well.

Any necessary changes to speed limits can be triggered independently and are governed by their own national guidance, the setting of local speed limits etc. If a situation suited the combination of a quiet lane and a new speed limit this can be done as well. Consideration of any speed limits though is done in association with Derbyshire Constabulary through an agreed speed management protocol and that protocol works based on meeting casualty and speed reduction targets and the competition of a capital investment for highways scheme means that a scheme to enhance the natural environment such as quiet lanes must also attract funding from elsewhere rather than those that run through those for road safety or for repair of our roads or any other asset replacement programmes and that is where much of our budget tends to lie. It may, however, be possible to promote schemes in the future through future planning opportunities or through Government initiatives that are dedicated towards climate change or indeed its aim to become net zero.

Whilst not being directly related to quiet lanes the Council are consulting on two 20 mph limits spanning across the town centres of Buxton and Long Eaton, which you will probably be aware of. These trials will

inform us whether the lower limits influence behavioural changes by encouraging more cycling and walking and a generally greener approach by all in these towns.

I must touch on as well we have committed ourselves as an administration to completing the White Peak Loop which would be another pretty critical piece of cycling infrastructure for the county which would no doubt be internationally well-known in no time at all but it is quite critical to connecting lots of other routes across the county and through the county as well. An awful lot of work going on in this phase. We are committed to making Derbyshire a better place for cycling and quiet enjoyment of our countryside.”

Mr Locke asked the following supplementary question:

"Will you pledge to make more signage on these cycle routes to make it safe for me and my family"

Councillor Lewis responded to the supplementary question as follows:

“I am sure if you can write to me and let me know which particular routes you are talking about then we can certainly look into those and see what we can do to make some small improvements that should improve safety”

7/23 PETITIONS

None received.

8/23 PERFORMANCE MONITORING AND BUDGET MONITORING/FORECAST OUTTURN

The Interim Director of Finance and ICT introduced a report, which had been circulated in advance of the meeting, that provided an update of Council Plan performance and the Revenue Budget/forecast outturn for 2022-23, as at 30 September 2022 (Quarter 2).

On the motion of Councillor S Spencer, duly seconded, it was

RESOLVED TO:

- 1) Note the update of Council Plan performance and the Revenue Budget position/forecast outturn for 2022-23 as at 30 September 2022 (Quarter 2); and
- 2) Note the position on General and Earmarked Reserves.

9/23

RESERVES POSITION AND RESERVES POLICY

The Interim Director of Finance and ICT introduced a report, which had been circulated in advance of the meeting, that provided details of the current and forecast positions for both General and Earmarked Reserves and the updated Reserves Policy.

On the motion of Councillor S Spencer, duly seconded it was

RESOLVED TO:

- 1) Note the current position on Earmarked Reserves;
- 2) Note the details of the amounts to be released from Earmarked Reserves balances;
- 3) Note the allocation of £11.913m Earmarked Reserves released to the Budget Management Earmarked Reserve; and
- 4) Note the updated Reserves Policy at Appendix Five to the report.

10/23

BUDGET CONSULTATION RESULTS

The Interim Director of Finance and ICT introduced a report, which had been circulated in advance of the meeting, presenting the results of budget consultation exercises designed to assist Members in the formulation of budgetary proposals for 2023-24.

The following additional information not contained within the report was reported to the meeting.

- There is one consultation which is statutory and therefore has to be undertaken, this is with the business ratepayers and a response from the East Midlands Chamber has suggested several things.
- The first was to highlight concerns for businesses of the business rate calculations stating that the current method is no longer fit for purpose. They then went on to state concerns of business failures as inflation pressures continued.
- In terms of the proposed Council Tax increase, whilst understood, they considered that it would put additional pressure on households at a time when many are already struggling.

- Finally, they noted the importance of the capital programme projects as being essential to improving productivity across Derbyshire.

On the motion of Councillor S Spencer, duly seconded, it was:

RESOLVED

To note the views of the consultation respondents regarding the Revenue Budget for 2023-24.

11/23 REVENUE BUDGET REPORT 2023-24

The Interim Director of Finance and ICT introduced a report, which had been circulated in advance of the meeting. proposing the Revenue Budget and Council Tax for 2023-24.

The following additional information was reported at the meeting:

- The final Local Government Finance Settlement had been announced on the 6 February which was too late for the details to be included in the report presented to this meeting. It confirmed details announced in December as part of the provisional settlement. However, the Government had announced a surplus on centralised business rates and as a result additional one-off funding had been made available to Derbyshire of just under £1m. The funding would be utilised to manage any uncertainties the Council had in-year and must only be used for one-off expenditure.
- In terms of Council Tax, the Council had the option to go for an increase of up to 5% in 2023-24 and those details were set out and confirmed as part of the provisional settlement for local authorities. That is made up of 3% for general expenditure and 2% for the Adult Social Care precept.

On the motion of Councillor S Spencer, duly seconded and in accordance with the Local Authority (Standing Orders) (England) (Amendment) Regulations 2014 a recorded vote was taken as follows:

For the motion:

Councillors Ainsworth, Ashton, Athwal, Atkin, Barron, Bull, Cupit, A Dale, Flatley, Ford, A Foster, M Foster, Gibson, Gourlay, Hart, Hickton, Hobson, Hoy, Iliffe, Kemp, King, Lewis, Major, Muller, Moss, Musson, Murphy, Patten, Redfern, Renwick, Siddle, Smith, Spencer, Sutton, Swann, Taylor, Wilson and Woolley.

Against the motion:

Councillors Bingham, Burfoot, Fordham, Kinsella, Niblock and Rose.

Abstentions:

Councillors Bryan, Clarke, Collins, C Dale, Dixon, George, Gillott, Greenhalgh, Innes, Mihaly, Ramsey and Yates.

RESOLVED to:

- 1) Note the details of the Autumn Statement 2022 and Provisional Local Government Finance Settlement as outlined in sections 4.3 and 4.4 of the report;
- 2) Note the Government's expectations about Council Tax levels for 2023-24 in section 4.5 of the report;
- 3) Approve the precepts as outlined in section 4.5 and Appendix four of the report;
- 4) Approve that billing authorities are informed of Council Tax levels arising from the budget proposals as outlined in section 4.5 and Appendix four of the report;
- 5) Approve the contingency to cover non-standard inflation as outlined in section 4.7 of the report. The contingency to be allocated by the Interim Director of Finance and ICT, as Section 151 Officer, once non-standard inflation has been agreed;
- 6) Approve the service pressure items identified in section 4.8 and Appendix four of the report;
- 7) Approve the level and allocation of budget savings as outlined in section 4.9 and Appendix six of the report;
- 8) Note the comments of the Interim Director of Finance and ICT, as Section 151 Officer, about the robustness of the estimates and adequacy of the reserves as outlined in section 4.10 of the report;
- 9) Note the details of the Council's consultation activity as outlined in section 5 of the report;
- 10) Approve the Council Tax requirement of £387,010,563 which is calculated as follows:

	£
Budget Pressures and Budget Reductions	641,217,881
Plus Service Pressures – ongoing	15,894,018
Plus Adult Social Care Precept	4,650,142
Plus Service Pressures – one-off	23,707,000
Less Budget Reductions	-16,190,000
Increase in Risk Management Budget	8,916,266
Net Budget Requirement	678,195,307
Less Top-Up	-97,773,890
Less Business Rates	-19,383,020
Less Revenue Support Grant	-15,714,332
Less New Homes Bonus	-1,105,736
Less General Grant	-122,996,933
Less PFI Grant	-10,503,833
Less Use of Earmarked Reserves	-23,707,000
Balance to be met from Council Tax	<u>387,010,563</u>

- 11) Approve the use of the Revenue Contributions to Capital Expenditure Earmarked Reserve to provide one-off support to the 2023-24 Revenue Budget; and
- 12) Authorise the Interim Director of Finance and ICT, as Section 151 Officer, to allocate cash limits amongst Cabinet portfolios; Executive Directors will then report to Cabinet on the revised Service Plans for 2023-24.

12/23 **CAPITAL PROGRAMME APPROVALS, TREASURY MANAGEMENT AND CAPITAL STRATEGIES FOR 2023-24**

The Interim Director of Finance and ICT introduced a report, which had been circulated in advance of the meeting, that's ought approval for proposals relating to the Capital Starts Programme for 2023-24 and the Treasury Management, Investment and Capital Strategies.

On the motion of Councillor S Spencer, duly seconded, it was

RESOLVED to

- 1) Approve the new Capital Starts Programme for 2023-24 as set out in Appendix two of the report and approves the procurement and award of contracts which support the delivery of the Capital Programme. All contract awards will then be subject to approval by Executive Directors (via an Executive Director Report) under the relevant Departmental Scheme of Delegation.

- 2) Approve the detailed Planned Maintenance Programme for 2023-24 as set out in Appendix three of the report;
- 3) Adopt the Treasury Management Strategy for 2023-24 as set out in Appendix four of the report;
- 4) Adopt the Investment Strategy for 2023-24 as set out in Appendix five of the report; and
- 5) Adopt the Capital Strategy for 2023-24 as set out in Appendix six to the report.

13/23 DERBYSHIRE AND DERBY MINERALS LOCAL PLAN - APPROVAL OF PRE-SUBMISSION DRAFT MINERALS LOCAL PLAN FOR PUBLICATION AND FORMAL PUBLIC CONSULTATION

The Executive Director of Place introduced a report, which had been circulated in advance of the meeting, that sought approval of the Derbyshire and Derby Pre-submission Draft Minerals Local Plan that was attached to the report at Appendix 2.

On the motion of Councillor C Renwick, duly seconded, it was

RESOLVED:

To approve the Derbyshire and Derby Pre-submission Draft Minerals Local Plan attached at Appendix 2 to the report to enable it to be :-

- a) Published together with the relevant background papers listed in the report as the proposed submission documents for the joint minerals local plan for Derbyshire and Derby for the period up to 2038, in accordance with regulation 19 of the Town and Country Planning (Local Planning)(England) Regulations 2012; and
- b) Used together with those papers for public consultation in accordance with regulations 19 and 35 with a period for making representations of eight weeks.

14/23 COUNCIL SIZE SUBMISSION TO THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND (LGBCE) ELECTORAL BOUNDARY REVIEW 2024

The Managing Director introduced a report, which had been circulated in advance of the meeting, that informed Full Council about the Derbyshire Electoral Division Boundary Review and, in line with the first stage of the process, determine the Council Size for the Authority, to be submitted to

the Local Government Boundary Commission for England (LGBCE).

On the motion of Councillor B Lewis, duly seconded, it was

RESOLVED to:

- 1) Approve the draft Council Size submission document attached at Appendix 7 to the report for consideration by the Local Government Boundary Commission for England, approving proposals for a continued Council Size of 64;
- 2) Make a formal request to the Local Government Boundary Commission for England for a single member division review, as part of subsequent phases of the Electoral Boundary Review process to increase parity and make accountability clearer;
- 3) Note the indicative timescale for undertaking the key Phases of the Electoral Boundary Review 2024, as set out in the report; and
- 4) Make a formal request to the Local Boundary Commission for England recommending that the start of the Phase 2 consultation period be delayed to take into account local District and Borough Council elections which are taking place at the same time.

15/23

**APPOINTMENT OF THE DIRECTOR OF FINANCE AND ICT
(SECTION 151 OFFICER)**

The Executive Director of Corporate Services and Transformation introduced a report, which had been circulated in advance of the meeting, that asked the Council to note the appointment of Mark Kenyon to the role of Director of Finance and ICT and the officer having responsibility for the purposes of section 151 of the Local Government Act 1972 for the administration of the authority's financial affairs.

On the motion of Councillor S Spencer, duly seconded, it was

RESOLVED:

- 1) To note the appointment of Mark Kenyon to the role of Director of Finance and ICT and the officer having responsibility for the purposes of section 151 of the Local Government Act 1972 for the administration of the authority's financial affairs; and
- 2) To note that Paul Stone has been appointed on an interim basis as the Director of finance and ICT and the officer having responsibility for the purposes of section 151 of the Local

Government Act 1972 for the administration of the authority's financial affairs.

16/23 ELECTED MEMBER QUESTIONS

1. Question from Councillor E Fordham to Councillor C Hart, Cabinet Member for Health and Communities

"How many residents have been referred to the Keeping Warm in Winter scheme over recent years, how many of those applications have been approved, how many have been rejected and how many more referrals does the Council forecast to receive?"

Due to time constraints, Councillor Fordham requested a written response which was as follows:

"I would have liked to have been able to give you the information requested but I am afraid that we do not have a scheme at DCC called Keeping Warm in Winter, there is a Keep Warm, Keep Well booklet but that is only a booklet offering advice and not grants."

2. Question from Councillor E Fordham to Councillor A Dale, Cabinet Member for Education

"How many children have been in receipt of free school meals over the last 5 years?"

Due to time constraints, Councillor Fordham requested a written response which was as follows:

"Between 2017 and 2022 a range of 11,010 to 19,905 children have been in receipt of Free School Meals. These figures obviously do not include Universal Infant Free School Meals which are an entirely separate datapoint."

3. Question from Councillor E Fordham to Councillor K Athwal, Cabinet Highways, Assets and Transport

"How people in Derbyshire have lost their lives to suicide and will it commit to working with other agencies to ensure that roads, railways, bridges, and other buildings are better designed with suicide prevention measures actively in place?"

Due to time constraints, Councillor Fordham requested a written response which was as follows:

"In Derbyshire, 87 deaths were recorded from suicide or unknown injuries for 2020, the latest year for which published figures are available. (Source: Primary Care Mortality Database). And yes, we are already working with a number of agencies including The Derbyshire Self-harm and Suicide Prevention Partnership Forum, which is driven by Derbyshire County Council Public Health, and leads a multi-agency strategic approach to suicide prevention. Much of the focus is about supporting those who may be at a higher risk for suicide.

4. Question from Councillor E Fordham to Councillor C Hart, Cabinet Member for Health and Communities

"Will the Council consider the creation of Drug Consumption Rooms across Derbyshire as a means of harm reduction, for the promotion of conversations between hard-to-reach drug users and health professionals, and to better protect the public from drug related detritus? And will it note that this approach works in countries such as Switzerland, Germany, the Netherlands, Australia, Canada and has been trialled in Scotland with evidence indicating success."

Councillor Hart responded as follows:

"I am afraid I have to say no to your request that we consider the creation of drug consumption rooms across Derbyshire. The reason is very straightforward. The Home Office have confirmed on numerous occasions there is no legal framework for drug consumption rooms and anyone setting one up and running one could be liable for prosecution so therefore we will not be considering it."

Councillor Fordham asked the following supplementary question:

"I understand the legal framework. I wonder if there is a way in which we could explore the support in order to achieve harm reduction?"

I recently went back to see school friends in Boston in Lincolnshire. There, if you go into the Parish Church in the toilets are legal disposal points in the toilets themselves. I have only seen this once in Derbyshire and that is in the closed public toilets in Staveley marketplace but it seems to me there are measures we can take that need not push the boundaries of drug consumption rooms but do provide for minimising harm reduction and for reaching drug users and health professionals and enabling a dialogue to take place.

I hear what you say in relation to drug consumption rooms and the legal framework but I wonder if there are measures we can take to better assist those who are in need of our help?"

Councillor Hart responded to the supplementary question as follows:

"There is an awful lot of work we do in combating drugs and alcohol, as I am sure you know. If you want a lot more information rather than taking time up now I am quite willing to go through all the things we do.

As far as the drug consumption rooms actually it has been proved there is evidence it works better in a city rather than Derbyshire as a rural community. It is all to do with city locations have a high number of homeless, chaotic and transient drug users so it is more beneficial in that, but we do do an awful lot of work. We have just set up a new Drugs and Alcohol Strategy Partnership which has started working together. That is talking about senior officers, senior members and such like.

We have different things we do. I have to say there is the new National Joint Combating Drugs Unit now being set up again and that is also trying to break the drug supply chains; deliver world class treatment recovery and achieve a generation shift in the demand so we are heavily involved in that and this partnership is delivering on that, but we do do a lot of work with partners and we work with pharmacies. We have needle and syringe programmes; Naloxone provision using additional grant funding to identify local needs through an assessment. We are trying to work with the hard-to-reach groups. There is an awful lot of work going on so if you want any more information you can quite willingly call and see me or email me and I will give you a lot more information but there is a lot of good work going on."

5. Question from Councillor N Gourlay to Councillor K Athwal, Cabinet Highways, Assets and Transport

"When will the Council re-open Bamford Clough, a byway within my division?"

Due to time constraints, Councillor Gourlay requested a written response which was as follows:

"The Council has undertaken works to investigate and put in place measures that may lead to Bamford Clough being reopened again in the next few months as a "one way" for a trial 12-month period to measure it's usage."

6. Question from Councillor R George to Councillor N Hoy, Cabinet Member for Adult Care

"What is the current occupancy rate of the County Council's care

homes?"

Councillor Hoy responded as follows:

"The current occupancy rate of Derbyshire County Council care homes as of week commencing 6 February was 62.8%."

Councillor George asked the following supplementary question:

"Bearing in mind the occupancy rate at this time of the winter when hospitals have been discharging patients at an ever higher rate I just wondered why the County Council's own care homes are not used in preference to the independent sector placements which are set out in the finance report as costing the Council so much money and being a major reason for the forecast £15.6m overspend?"

Councillor Hoy responded to the supplementary question as follows:

"We are working with NHS colleagues across Derbyshire and the health and care system to support hospital discharge and to avoid people being admitted into hospital. There is a reduction in demand because of people wanting to live at home and that is the reality, people want to live at home."

7. Question from Councillor R George to Councillor K Athwal, Cabinet Highways, Assets and Transport

"What is the timescale for repairing the drains on Whitehough Head Road in Chinley?"

Councillor Athwal responded as follows:

"The scheme is now fully designed and has been commissioned for construction services to deliver with a provisional construction start date early this year, early May this year."

8. Question from Councillor G Kinsella to Councillor K Athwal, Cabinet Highways, Assets and Transport

"What data do Highways collect on the percentage of repairs that are carried out 'right first time' and can you share with Members the performance for quarters 2 and 3 of 2022/23 against target? Please be clear, given Cllr Spencer's response at the last Full Council, I accept that not all repairs fall into this category. However, I expect the council to report on the percentage of repairs that fall into the category of being completed 'right first time'."

Due to time constraints, Councillor Kinsella requested a written response which was as follows:

"Where possible, the Highways Service approach is to do a permanent fix first time on road defects. Whilst we try to avoid re-work to maximise efficiency and reduce costs, there are sometimes good reasons why we cannot do this. This includes weather conditions, traffic volumes and dangerous locations, along with safety of both residents and staff.

Our current asset management system doesn't have the facility to accurately capture data on the number of defects which have had to be re-worked. It is set up to capture data based on individual road lengths which is consistent with national practice. However, I am assured that the proportion of defects requiring re-work is very low compared to the overall number of defects repaired."

9. Question from Councillor G Kinsella to Councillor B Lewis, Cabinet Member for Strategic Leadership, Culture, Tourism and Climate Change

"The Climate Change Strategy (2021-25), as we have heard earlier includes a target to create 24,000 skilled green jobs in Derbyshire by 2030. How can we measure progress against this? I take the point that Councillor Lewis made earlier about having to use national targets. Nevertheless one of the key issues is:

- We don't have a shared definition of what a 'green job' is so how do we know how or when we have delivered 24,000 green jobs when we don't know what a green job is?;
- We don't know how many green jobs there were in Derbyshire when this target was set and we don't know how many there are now; and
- We don't have any interim targets leading up to 2030 so we have no idea where we are now, where we started from and where we are going to be in 2030?"

Councillor Lewis responded as follows:

"I think I gave a bit of an indication of where I might be going with this a little bit earlier on in response to a public question. I know you are very into your targets and figures and numbers etc so I will do my best to answer your point.

The original target of 24,000 green skilled jobs by 2030 was captured in our Planning Strategy back in 2021 and is based on the Government's Green Jobs Taskforce national target to create 2 million green jobs by

2030. 24,000 was calculated as a local target in proportion to our population here.

In terms of defining a 'green job' there is no single definition available at the moment. Multiple national and international organisations such as the Office for National Statistics, the United Nations' system of environmental accounting and the International Labour Organisation all have different perspectives and suggestions with regard to this. However, the guidance on the Government's Green Jobs Taskforce report helpfully terms a green job as "employment and an activity that directly contributes to, or indirectly supports the achievement of the UK's net zero emissions target and other environmental goals such as nature restoration and mitigation against climate risks" but in the scope of the current Climate Change Strategy, Councillor Kinsella is correct in saying that DCC has not formally adopted this other form of definition of green jobs. That is to be addressed through our work on the proposed Skills and Employment Plan which will form part of our preparations for the Combined Authority. This work will also include a full baseline assessment of economic sectors within the county and will draw out how best to support decarbonisation of existing sectors and how to grow and attract new green industries. This in turn it is hoped will establish what skills and training interventions would best support that economy.

There is an important thing to note here though that the significant progress the Council has made already in delivering interventions to support a new lower carbon economy in Derbyshire, not just attracting new green businesses but greening up our existing job base, interventions such as our £2m Green Entrepreneur Grant Scheme, I have already talked about expansion for that which is directly funded by the County Council in providing demonstrated funding to local businesses not only to build and create green technology but create truly green jobs within business.

There are more points here. What I can do is package that up into a written answer for you. There are only a couple more points actually but it is along the same sort of themes. It is a situation we are trying to address and get better descriptors for the roles of green jobs within our economy. "

Councillor Kinsella asked the following supplementary question:

"Just to quote the senior manager from the Economic and Regeneration Team in terms of when I asked that question of her about what is a 'green job' she said "We don't have a complete understanding of what a 'green job' is, we are not quite there yet."

The reason why I choose this, I don't want to focus too much on this one particular issue but it just goes to show (and Councillor Lewis is right I am into targets and all that sort of thing), it is called Effective Performance Management, it does puzzle me as to how we can set targets on issues where we don't know the baseline, we don't know the definition and we don't know where we are at this point in time.

I suppose my follow-up question is how can people be expected to hold the Council to account when we have targets such as the one I have just explained which doesn't really make sense?"

Councillor Lewis responded to the supplementary question as follows:

"I don't know if the answer to this is how many angels can dance on the head of a pin. It is almost in that sort of scope the broadness of that particular question I was just asked there. I have given a fairly comprehensive answer about how we are trying to address this particular situation. I agree in some senses we do need to better define what 'green jobs' are, where they sit within the economy so that we can upskill those roles to make sure that we are meeting those future demands for things like retrofitting housing for greening out some of the better green spaces if you like in terms of restoration of eco systems, that sort of stuff. There are a lot of things that we need to roll into this and it will take time to get there."

As the time was approaching 5 o'clock, in accordance with Standing Order 4.1, an extension of the time limited for the meeting was proposed.

On the motion of Councillor B Lewis, duly seconded, it was

RESOLVED

That under rule 4.1 of the Council Procedure Rules the meeting should continue until 5.30 pm to enable the remaining business on the agenda to be considered.

Councillor R George left the meeting at 4.50 pm.

17/23 NOTICE OF MOTION

Councillor G Kinsella proposed a motion that was duly seconded, in the following terms:

"That Council asks Council officers to explore options to:

1. Ensure that food provided at all council catered events and meetings

is entirely plant-based, preferably using ingredients sourced from local food surplus organisations.

2. Ensure that the County Council's school meals services have plant-based menus available as part of their regular offer on at least one day per week.
3. Invite schools to sign up to Meat Free Mondays, along with the other 3,000 schools in the UK.
4. Work on outreach to schools and young people to actively influence and inform of food choices and their impact on the environment, health and animal welfare. Encourage and empower students to make informed decisions about the food available in their school.
5. Inspire, promote and support initiatives surrounding food growing, preparation and waste avoidance, especially as part of school and community projects.
6. Recognise the benefit of sourcing food locally from producers who follow sustainable principles.
7. Use County Council Civic events to promote and showcase plant-based food options, alongside displayed information about the climate benefits and relative cost of different protein/food sources.
8. Ensure at catered County Council events most of the food options are plant based.
9. Secure through a contract specification when re-tendering for suppliers that plant-based food and drink options are to be available at County Council food outlets/events.
10. Review the Climate Change Strategy (2021-25) action plan to include actions leading to an increase in plant based dietary options.
11. Report back to Improvement and Scrutiny – Climate Change, Biodiversity and Carbon Reduction within the next six months providing an update on progress.

Following debate, the motion was duly voted on and declared to be LOST.

The meeting finished at 5.27 pm

